

REMARKSI. Introduction

In response to the Office Action dated April 30, 2003, no claims have been cancelled, amended or added. Claims 1-33 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Prior Art Rejections

In paragraph (2) of the Office Action, claims 1-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Curley, "Royal Bank uncards profitability solution," (Curley).

Applicant's attorney respectfully traverses these rejections. Specifically, Applicant's attorney submits herewith a Declaration under 37 C.F.R. §1.132 stating that the Curley reference comprises a description of the Applicant's invention. Consequently, the reference is not a proper citation under 35 U.S.C. §102/103. Thus, Applicant's attorney requests that the rejections of the claims be withdrawn.

III. Requirement under 37 C.F.R. §1.105

In paragraph (4) of the Office Action, Applicant and the Assignee were required to provide information so that an analysis under 35 U.S.C. §102/103 could be ascertained. The Office Action implied that the analysis would be made with regard to the publication referenced above, namely Curley, "Royal Bank uncards profitability solution." The Office Action thus requested the following information: "1. The date of all pertinent information related and associated to/with the instant application's financial processing system regarding the account, event and organization attributes, along with the profitability calculations."

Applicant's attorney respectfully submits that the Declaration under 37 C.F.R. §1.132 moots this requirement, since the Curley reference is not a prior art reference.

In addition, Applicant's attorney respectfully submits that the request is unduly vague. For example, Applicant's attorney is unsure of what is being requested with regard to the "date of all pertinent information." It appears that this may be a request for a date of conception and/or reduction to practice of the Applicant's invention. If so, then the request is improper.

Finally, Applicant's attorney notes that the requested information cannot be characterized as falling within the categories of information enumerated in 37 C.F.R. §1.105(a)(1)(i)-(vii). Applicant's attorney also notes that the requested information cannot be characterized as falling within the

boundaries set forth in M.P.E.P. §704.11(a). As a result, Applicant's attorney submits that the requested information is not reasonably required for examination.

In view of the above, Applicant's attorney requests that the requirement be withdrawn.

IV. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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G&C 30145.393-US-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

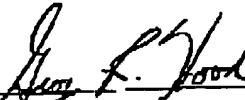
Applicant:	George R. Hood	Examiner:	Andrew J. Rudy
Serial No.:	09/608,675	Group Art Unit:	3627
Filed:	June 29, 2000	Docket:	9010
Title:	DIRECT EXPENSE IMPLEMENTATION FOR FINANCIAL PROCESSING IN A RELATIONAL DATABASE MANAGEMENT SYSTEM		

## DECLARATION OF GEORGE R. HOOD UNDER 37 C.F.R. § 1.132

I, GEORGE R. HOOD, declare as follows:

1. I am a named inventor on the patent application identified above, and am authorized by the Assignee to make this declaration.
2. I am the sole inventor of the claims in the above-identified patent application.
3. The subject matter disclosed in the publication entitled Curley, "Royal Bank Unearths Profitability Solution," which was cited by the Patent Office during the examination of the above-identified patent application, comprises a description of my invention. The publication includes statements concerning the invention that were made by representatives of NCR Corporation, the assignee of the above-identified patent application.
4. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 7/29/03

  
George R. Hood